

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 06-20411

DERRICK YOUNG,

Defendant.

ORDER TERMINATING DEFENDANT’S ‘PLACEHOLDER 2255 MOTION’

Defendant Derrick Young pleaded guilty to conspiracy to possess with intent to distribute cocaine, in violation of 21 U.S.C. §§ 846 and 841(a)(1), killing a person while engaged in an offense punishable under 18 U.S.C. § 924(c), and aiding and abetting in such offense, in violation of 18 U.S.C. §§ 924(j). (ECF No. 262.) On January 18, 2011, this court sentenced him to 720 months imprisonment. (*Id.*, PageID.952.)

Currently before the court is a motion filed by Defendant which is styled as a “Placeholder 2255 Motion.” (See ECF No. 319.) Defendant filed the present motion after he had already filed a petition in the Sixth Circuit seeking authorization for the district court to consider a second or successive motion to vacate, set aside, or correct his sentence under 28 U.S.C. § 2255. *See In re Young*, No. 20-1046 (6th Cir.) (Doc. No. 5). Defendant’s “placeholder motion” notes his then-pending petition at the Sixth Circuit and states that he filed “this motion as a ‘Placeholder 2255 Motion’ in [an] effort to comply with the one-year statute of limitations in 28 U.S.C. § 2255.” (ECF No. 319,

PageID.1512.) Subsequently, the Sixth Circuit issued an order denying “Young’s motion for authorization to file a second or successive motion to vacate.” (See ECF No. 317.) Because the Sixth Circuit declined to allow a successive § 2255 motion, the court finds that the “placeholder motion” related to that request should be terminated.

Accordingly,

IT IS ORDERED that Defendant’s “Placeholder 2255 Motion” (ECF No. 319) is TERMINATED.

s/Robert H. Cleland /
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: June 21, 2022

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, June 21, 2022, by electronic and/or ordinary mail.

s/Lisa Wagner /
Case Manager and Deputy Clerk
(810) 292-6522

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